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Customer Number

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Case No.: 58562US005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: WIGHTMAN, PAUL D.

Application No.: 10/821335

Confirmation No.: 9992

Filed: April 9, 2004

Group Art Unit: 1625

Title: DELIVERY OF IMMUNE RESPONSE MODIFIER COMPOUNDS

FILING OF AMENDED BRIEF

Mail Stop Appeal Briefs-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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October 5, 2009

/Joyce M. Courtney/

Date

Signed by: Joyce M. Courtney

Dear Sir:

The following remarks are submitted in response to the Communication from the Examiner dated September 3, 2009. The Communication indicates that the Appeal Brief filed on July 27, 2009 is defective because it does not identify the appealed claims (37 CFR 41.37(1)(iii)).

Attached is an Amended Brief in which a statement of the status of the claims includes the appealed claims. It is respectfully submitted that the Amended Brief overcomes the Examiner's objection.

The fee for filing an appeal brief was paid on July 27, 2009, therefore, it is believed that no additional fee is due. In the event an additional fee is due, please charge Deposit Account No. 13-3723.

Respectfully submitted,

October 5, 2009

Date

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